

**Commonwealth of Virginia
State Board of Social Services**

**Department of Social Services
Central Regional Office
1604 Santa Rosa Road
Richmond, Virginia 23229**

August 20, 2014

Attending: Mr. Willie Greene, Sr. (Chair), Mr. William Henderson (Vice Chair), Ms. Josie Webster (Secretary), Ms. Lou Ali, Dr. Danny Avula, Mr. Darrell Jordan, Jr., Dr. Jack Knapp, Ms. Mona Malik, Mr. Clyde Santana, Mr. Kent Willis

Absent: Ms. Sheila Coppage

Also in Attendance: Ms. Margaret Ross Schultze (Commissioner), Mr. Allen Wilson (Sr. Assistant Attorney General)

Meeting called to order at 9:01 A.M. – Mr. Willie Greene, Sr.

Welcome and Introductions – Mr. Willie Greene, Sr.

Mr. Greene welcomed Board Members and acknowledged the new Board members, Ms. Mona Malik, Ms. Lou Ali, Mr. Clyde Santana and Mr. Kent Willis. Ms. Sheila Coppage is also a new Board Member but wasn't present at this meeting. Each member introduced themselves.

Review of the Agenda – Ms. Karin Clark, Regulatory Coordinator

Comments from the Commissioner – Margaret Ross Schultze

Commissioner Schultze welcomed the new members and congratulated Mr. Greene in his new position as Chair of the State Board and gave a bio on herself.

1. Update on Three Department Focus areas:

Eligibility Systems Modernization -

The number one priority is moving the old legacy system to the new system, as we focus on eligibility modernization for IT systems. One of the enhancements is the self- direct function allowing the individual to go online through the CommonHelp portal. If all questions are answered correctly the applications will be processed without the worker's assistance, which should give some relief to local workers. DSS' goal is to process 20% of the applications through the new system without the local workers' assistance, hoping the percentage will increase gradually. Since last October, Medicaid applications have increased by 62% over the previous year. 92% of the applications have been

processed through the MAGI system and Commissioner noted that she is very pleased with the partnership of the local departments of social services and the progress made.

Permanency for Children in foster Care -

Currently there are 828 youth in foster care that are eligible for adoption. The Governor appointed Debbie Johnson as the Adoption Champion. Commissioner will update the Board on activities she's working on. November is adoption awareness month.

Modernizing our child support –

Craig Burshem, Director of Child Support will update about modernizing child support later in the meeting.

1. Governor's Agency Head Meeting

Revenues are down and agencies have been asked to look at budget cuts over the next biennium. The DSS budget is \$2 billion and about \$400 million comes from state funding. The other funding is federal. Rick Brown, Deputy Secretary of Finance gave agencies a detailed briefing of numbers indicating there could potentially be a cut of 5% to 6% aggregate across the Commonwealth of Virginia. The Governor would like to build a new Virginia economy – The 2014 Governor's Enterprise Strategic Priorities are captured in 9 buckets: economy, education, health and family, public safety and homeland security, veterans and military families, workforce, natural resources, transportation, and government & citizens. Once things are finalized the Commissioner will issue copies. After the goals are chosen, agencies will then build these into executive agreements, sign the agreement with the Governor, and commit to work on this for the next 4 years.

2. Child Fatality Meeting

The Commissioner apologized for her absence at the Child Fatality Committee meeting held on August 19, 2014, which she understood went very well. At the meeting there was a discussion about focusing on child deaths of children known to the system and building on the work done in the past 4 years in reference to safe sleep. Child care recently re-negotiated contracts with vendors who provide child care services and issued safe sleep brochures.

3. Community Services Block Grant

Commissioner Schultze attended a public hearing on the Community Services Block Grant on August 19, 2014, which went very well and is required before the State Plan can be submitted to the federal government. She noted in the afternoon, Jim Schuyler, Executive Director for the Virginia Community Action Partnership would give an overview of his organization and the role they play in the Social Services system.

**Division of Child Support Enforcement –
Craig Burshem, Deputy Commissioner, Director of Child Support Enforcement**

Mr. Burshem introduced himself to the Board and provided a short bio. The new vision for DCSE is civil servants committed to ensuring Virginia's children have the financial and family support they need to grow and thrive. Part of this vision is to reemphasize that we are serving both parents custodial and non custodial and how important the child support payments are to families, which can make a difference in lifting those families out of poverty.

In fiscal year 2014, DCSE managed 315,473 cases and collected over \$664.4 million. Anyone can apply for these services: it is not income based and not asset based. DCSE has various funding streams, including General Fund, Reimbursement or collections from TANF cases, federal incentive money and federal match.

DCSE will locate the parents, establish paternity - voluntarily or by a court, establish child support orders – administratively by DCSE or through a court action and collect & distribute support payments. Child support is calculated by the statutory guideline schedule. The USDA stated it takes \$235,000 to raise a child until age 18. Enforcing orders is done by taking tax income refunds, filing liens on personal property, driver's license suspension, passport denial and court action (jail is the last resort after administrative remedies have been exhausted). Thirty-two hundred people were placed in jail last year for not paying their child support. It is not a crime not to pay child support, it is considered civil contempt.

The DCSE is focusing on family engagement, as opposed to serving solely as a collection agency. The approach will include proactive early-intervention strategies, engagement with the whole family unit, innovative programs to provide tools for payment and collaboration with other agencies and organizations. The goals are to obtain right-size orders, assist with workforce reentry, enhance parenting skills, address barriers and encourage relationships & visitation with children when possible. DCSE would like to have one designated worker in each district office committed to the family engagement initiative.

The Family Strong Pilot program started January 1, 2014 and is targeted towards a non custodial parent who will be released from a correctional facility, who has a child support case for current support plus arrears, and has a support obligation for the minimum which is \$65/month. There are currently 8 DCSE field offices that work with the correctional facilities, probation and parole officers, fatherhood programs, local departments of social services, juvenile and domestic relations courts, employment services and other community organizations like Catholic Charities.

Future plans for DCSE include updating their iAPECS system, telecommuting and alternate work schedule agreements (which will allow workers to concentrate without interruption), centralized mailing and document imaging, recreating the web portal so clients can see the progress on their cases and payment opportunities. Some issues DCSE faces are a potential for reduced federal funding, decreasing

caseload, staffing and process issues, and expensive leases. To address the last issue, they will decrease costs by combining 21 offices down to 13.

Office of Newcomer Services (ONR) – Kathy Cooper, State Refugee Coordinator

The Commissioner introduced Ms. Cooper and stated she would help the Board distinguish the difference between the unaccompanied alien children at the U.S. border and the unaccompanied refugee minors served by the Office of Newcomer Services (ONS) . In addition, Ms. Cooper would explain the responsibilities of DSS relative to these populations.

The definition of a refugee is “ a person who is outside his/her country of origin because of a well-founded fear of persecution due to race, religion, nationality, political opinion, or membership in a social group”. This definition was set by the United Nations and has a global meaning. Eligible populations include refugees, asylees, Cuban and Haitian entrants, victims of a severe form of trafficking, lawful permanent residents who held one of these statuses in the past, and most Iraqis and Afghans with Special Immigrant. Funding for this refugee program is 100% federal funds, funded through U.S. Department of Health and Human Services Administration for Children and Families (ACF) through the federal Office of Refugee Resettlement (ORR). In fiscal year 2014, approximately 70,000 refugees were approved to enter the U.S. as legal immigrants. The goal of Virginia’s refugee resettlement program is for each refugee to achieve durable self-sufficiency as quickly as possible after arrival into Virginia and doing so while achieving social integration into the community. There will be about 2,500 refugees to resettle in Virginia in federal fiscal year 2014, which is up from last year.

Virginia’s Unaccompanied Refugee Minors (URM) Program was established with the passage of the Refugee Act in 1980 and has been administered by the Office of Newcomer Services since then. URM are refugee children overseas who are eligible for resettlement in the U.S., but do not have a parent or relative available and committed to providing them with long term care. ONS has a sole source contract with Commonwealth Catholic Charities for the foster care placement of the URM. As of now, Virginia has 50 to 60 children in the program. Commonwealth Catholic Charities has legal custody of these children. State licensing authorities monitor the programs.

Unaccompanied alien children (UAC) are not refugees. This term means a child who, at apprehension at the United States border, has not reached the age 18, and there is no known parent or legal guardian in the United States available to provide care and physical custody. UAC are not eligible for federally subsidized benefits, including Medicaid, SNAP etc. UAC are in the custody and care of the federal Office of Refugee Resettlement. 2, 234 UAC have been released to sponsors in Virginia. The federal response to the border crisis has affected Virginia’s URM program, as they share a federal budget line item. The Office of Refugee Resettlement re-programmed \$94 million dollars to UAC, which was taken away from the refugee programs. The transfer has eliminated FFY 2015 funding for all discretionary grants, including student achievement and health promotion. Things stand with President Obama’s request that \$3.7 billion dollars be infused in the UAC this year, which will hopefully restore the refugee program.

Update of Family Services Regulations – Carl Ayers, Director for the Division of Family Services

The Commissioner introduced Carl Ayers and gave background on his previous work experience. Mr. Ayers discussed the history of permanency services regulations. Before 2009, prevention, foster care and adoption regulations were 5 different chapters of 22 VAC 40. A new permanency services regulation was developed which combined prevention, foster care, independent living, adoption and ICPC into one comprehensive chapter, 22 VAC 40-201, in 2009. On November 1, 2012, 22VAC40-201 became effective.

Legal basis for revisions to 22 VAC 40-201 will have both federal and state impetuses. The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 allowed states to extend foster care until age 21. The DSS is currently preparing a report on how this would be implemented in the Commonwealth. Transition plans will also be required for children at least 90 days before aging out of foster care. Other federal laws are Child Welfare Practice Provisions in the Patient Protections and Affordable Care Act of 2010, which allowed foster children that age out of the Virginia system to have Medicaid until age 26. The Child Abuse Prevention and Treatment Act (CAPTA) Reauthorization of 2010 looked at differential response and screening procedures

Code of Virginia changes include credit checks for youths 16 and older, maintaining foster children in their schools of origin, Code of Ethics and Mutual Responsibilities, provision of Shaken Baby information as a resource to parents, preference for relative placements, transition planning of foster children aging out of DJJ commitments and restoration of parental rights. Changes to the Virginia Administrative Code will include dual approval of foster and adoptive homes to achieve permanency.

COMMENT PERIOD

Comment from the Public – No public comments

Comment from the Local Boards and Directors of Directors of Social Services-

Ms. Marsha Sharpe – Director of Chesterfield / Colonial Heights Social Services

Ms. Sharpe expressed her concern with the caseload growth in the agency. The Eligibility Modernization Project will help some, but the reality is people would still like to talk with a live person. The response time with meeting the needs of the community and processing of the Medicaid applications and reviews has slowed down due to a challenge with staffing. The agency has been given local money over the years, but that is becoming difficult, just as with the state.

Ms. Shel Douglas – Director of Prince George County Social Services

Ms. Douglas is concerned about her agency being assigned to the Eastern Region, as it takes staff 4 to 5 hours of travel time to participate in any meetings or trainings. On the reverse side, more and more tasks are being assigned to the Regional staff, Regional Directors, RAMs and various consultants that

provide support through monitoring, training and case consultation. Regional staff is often the key link to changes coming down the pipe and a key source of communication for local offices, the relationship between regional staff and local staff is essential. Regional staff will spend about 4 to 5 hours of travel time which will limit the amount of time they will spend at the agency. Access between local staff and regional resources should not be a challenge. There needs to be a better way for Regional staff to support local agencies. Ms. Douglas respectfully asked Commissioner Schultze to re-evaluate the assignments of agencies to the region or look at relocating the Regional office to a more central location within the regional boundaries. Ms. Douglas would like to invite the Board to Prince George County DSS for a future Board meeting or just to explore the new renovated space.

Mr. Ray Spicer – Director of Hopewell Social Services

Mr. Spicer would like to discuss staff retention and find out ways to retain employees. Mr. Spicer's agency is non-deviating and complies with DSS' compensation plan. Mr. Spicer has an idea to mitigate high staff turnover by offering longevity pay Mr. Spicer understands that there is no allowance under the DSS HR compensation plan for such pay. Mr. Spicer is not sure of protocol but asked Commissioner Schultze look at a compensation plan relative to incentives to retain local staff. Mr. Spicer noted that if that the compensation policy would need to come before the Board for any changes.

Comment from the VA League of Social Services Executives – Cathy Pemberton, President

Ms. Pemberton introduced herself, as this was her first time representing as President of VLSSE. Ms. Pemberton introduced her peers and gave some background on the VLSSE. VLSSE includes Directors, Assistant Directors and Deputies for 119 local department of social services in Virginia. Ms. Pemberton identified the current VLSSE officers, noting that the VLSSE Board consists of 21 district representatives / members. She discussed the affiliate organizations: Virginia Alliance of Social Work Practitioners, Virginia Benefit Programs Organization, and Partnership of Office Services Support Employees in Social Services Ms. Pemberton also discussed the many VLSSE committees , which include state partners.

Comment from the Virginia Community Action Partnership – Jim Schulyer, Director

Mr. Schulyer thanked the Board, introduced himself and welcomed the new Board members. VACAP is the 3rd leg at the three legged social services stool, one leg is the local departments of social services, the second leg is DSS and its central and regional staff and third is 30 community action agencies that as of now serve 90 percent of the state. Community action is celebrating a 50th anniversary this year. There are more than 1,000 community action agencies around the country. Stimulus funding was limited but they were able to bring new communities in expanding from 75 to 90 percent. Two "untapped" large areas with significant low-income populations in the Richmond region are Henrico and Chesterfield counties. Mr. Schulyer explained the process for designating new community action agencies, which begins at the local level. He indicated that the types of services offered vary around thestate, and noted that free tax preparation was offered by 15 coalitions. There has been an 85 percent reduction in funding since 2009. Opportunity for new funding is not as optimistic. A current focus is implementation of organizational standards by network.

Executive Order 17 (2014) – Karin Clark, Regulatory Coordinator

Governor Mc Auliffe signed EO 17 on June 30, 2014, rescinding and replacing EO 14 issued by the previous Governor. Ms. Clark briefly discussed the substantive changes between EO 14, and Governor McAuliffe’s EO 17 and also refreshed on some key points that have not changed.

Regulatory Update – Karin Clark, Regulatory Coordinator

ACTION ITEMS

1. Approve June 2014 minutes

Dr. Knapp noted the need for a correction page 6 under Permancy Update, changing the number of matched children to 1,041. *On Motion Duly Made*, (Dr. Knapp), second (Mr. Santana), abstained (Ms. Ali), moved to approve the June 2014 meeting minutes with correction, with one abstention (Ms. Ali) and all voting in favor.

2. 22VAC40-80, General Procedures and Information for Licensure – NOIRA

On Motion Duly Made, (Ms. Webster), second (Mr. Jordan), moved to approve the NOIRA, with all in favor. Lynne Williams discussed background information on the regulation and possible proposed changes to come before Board for consideration.

3. 22VAC40-661, Child Care Program – Final

On Motion Duly Made, (Dr. Knapp), second (Mr. Henderson), motion to approve the regulation as submitted. Ms. Webster asked that an amendment to the definition of “Level two provider” be considered. The amendment would add to the definition a reference to providers recognized by the Board of Education pursuant to § 22.1-19 of the Code of Virginia. Following discussion, it was determined that more information was needed on such providers in order to determine whether including them in the definition of Level two provider is appropriate relative to regulatory oversight and other criteria. Motion to table action item #3 (Ms. Ali), second (Mr. Willis), motion approved with all in favor.

State Board of Social Services Bylaws – Willie Greene Sr., Chair

According to article VIII, Review and Amendments to Bylaws, Mr. Greene asked Ms. Webster, Mr. Henderson and Mr. Santana to serve as the Bylaws Committee, with Ms. Webster as Chair. At the October Board meeting, the Bylaws Committee will present any recommended changes to the bylaws. If there are any changes, this will be an action item on the December Board meeting agenda. Mr. Wilson stated that if he is needed at this meeting, he will attend.

Board Member Comments

Ms. Webster has been here for nine months and still feels new at times, she has learned a lot about the different programs along the way, and this is one of the biggest values of being here to see how hard everyone in these agencies work to help these children and families reach goals.

Mr. Jordan congratulated Mr. Ayers on his new position, the Department is doing a great job in continuing to achieve permanency.

Dr. Avula welcomed the new Board members and affirmed the VDSS staff and their continued pursuits on engaging families.

Ms. Malik stated it is very interesting being at the Board meeting, she learned a lot and is looking forward to learning more.

Mr. Willis read through the materials and realized what the regulations are about, he was impressed but also daunted by the presentations. He enjoyed the discussions and noticed people are really engaged.

Mr. Santana followed up on what Mr. Willis said and stated it had been enjoyable. He feels being on the Board will be a great education.

Dr. Knapp appreciated Craig Burshem's reports, they help to understand what is going on and fill in the gaps, so wise decisions can be made. He also welcomed the new Board members.

Ms. Ali looks forward to serving on the Board and believes the Board will do a good job.

Mr. Henderson said of the 2 years he's been on the Board, the conversation about Action Item 3 was the longest he has heard. He also mentioned the Child Fatality Committee meeting and let everyone know they could attend. He also encouraged members to attend their regional fatality review team meetings. He also read a news headline that stated there were 109 million people that need some type of government assistance and after hearing about the lack of help, the Board and DSS should do whatever possible can to try and employ more workers.

Chair's Comment

Mr. Greene thought there were a lot of great presentations and thanked the staff for their help in putting the Board meeting together. He asked members to look for e-mails from DSS staff in reference to the Board meetings, as this is the primary way of communication. He thinks this will be a good Board with new members and new personalities, and appreciates everyone working together. He looked forward to the next meeting in October.

Meeting Adjourned at 4:12 pm